THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT PETITION No.10008 of 2007

Dated 09-05-2007

Between:

P.Narsamma & another.

..... PETITIONERS

AND

Govt. of A.P. rep. By its Ssecretary, M.A.Dept., Secretariat, Hyderabad & another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT PETITION No.10008 of 2007

O R D E R:

Questioning the action of the third respondent in issuing the notices to the petitioners proposing to acquire their properties for the purpose of road widening, the present writ petition is filed.

Learned counsel for the petitioners submits that the petitioners are the owners of the properties bearing H.Nos.8-2-204, 6-3-708/4, situated at Panjagutta, Hyderabad and that the respondents issued notices to them proposing to acquire their properties for the purpose of road widening and take compensation for the structures as per the Government Orders in vogue.

Heard the learned Government Pleader for Municipal Administration.

Having regard to the facts and circumstances of the case, I am of the opinion that if the petitioners are not inclined to accept the said proposal of entering into agreement under Section 146 of the Hyderabad Municipal Corporation Act, 1955 (for short 'the Act') it is open for the petitioners to file their objections stating that they are not inclined to accept the proposal or enter into an agreement for settlement of compensation or avail the benefit under the Government Orders. However, if the petitioners are not inclined to enter into an agreement, it is also open to the respondents to acquire the land under Section 147of the Act by initiating proceedings under the Land Acquisition Act, 1984.

Hence, the Writ Petition is disposed of permitting the

petitioners to file their objections against the impugned notices, if not already filed, within one week from today and if the petitioners are not inclined to avail the said benefit, it is open to the respondents to initiate action under Section 147 of the Act. However, the respondents are directed not to dispossess the petitioners without following due procedure prescribed in law. No order as to costs.

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09-05-2007

usd/prv